

Sarah Medary

Boudjerada v City of Eugene

June 30, 2021



CC REPORTING AND VIDEOCONFERENCING
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HASHEEM BOUDJERADA; DAMON) No. 6:20-cv-1265-MK
COCHRAN-SALINAS; ERIN GRADY;)
TYLER HENDRY; and KIRTIS)
RANESBOTTOM,)
Plaintiffs,)
v.)
CITY OF EUGENE; SARAH MEDARY;)
WILLIAM SOLESBEE; SAMUEL STOTTS;))
BO RANKIN; TRAVIS PALKI; MICHAEL)
CASEY; ANTHONY VIOTTO; and RYAN)
UNDERWOOD,)
Defendants.)

DEPOSITION OF SARAH MEDARY

June 30, 2021

Wednesday

10:04 A.M.

1 THE VIDEOTAPED DEPOSITION OF SARAH MEDARY
2 was taken at the Eugene Police Department, 300
3 Country Club Road, Kilcullen Conference Room,
4 Eugene, Oregon, before Sara Fahey Wilson, CSR,
5 Certified Shorthand Reporter in and for the State of
6 Oregon.

7
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Sarah Medary

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None.

1 THE VIDEOGRAPHER: We are on the
2 record. Today is Wednesday, June 30th, 2021. The
3 time is 10:04 a.m. This is the deposition of Sarah
4 Medary in the matter of Boudjerada, et al., versus
5 City of Eugene, et al.

6 Our court reporter is Sara Fahey
7 Wilson. My name is Claire Maederer, and I'm CC
8 Reporting's remote video technician.

9 At this time I'd like to ask counsel
10 to identify themselves and who they represent, and
11 then the reporter will swear in the witness.

12 MS. DUGAN: Marianne Dugan for the
13 plaintiffs.

14 MS. REGAN: Lauren Regan for the
15 plaintiffs.

16 MR. MILLER: Ben Miller for the
17 defendants.

18
19 SARAH MEDARY,
20 having been first duly sworn to testify the truth,
21 the whole truth, and nothing but the truth, was
22 examined and testified as follows:

23 / / /

24 / / /

25 / / /

EXAMINATION

BY MS. DUGAN:

Q. Good morning, Ms. Medary. I'm Marianne Dugan. I represent the plaintiffs in the Boudjerada versus the City of Eugene case.

And could you state your full name.

A. Sarah Jane Medary.

Q. Okay.

Are there any factors that could affect your memory right now like medication or your ability to understand questions?

A. No.

Q. Okay.

Have you ever participated in a deposition before?

A. Yes.

Q. How many, about?

A. I feel like maybe two. It's been a really long time.

Q. Okay.

A. Yeah.

Q. What was the context?

A. One was a landlord/tenant issue that I was one of the tenants that got called. Many years ago. The other was -- I feel like there was a City of

1 Eugene deposition around a union issue. I just
2 can't remember if it was a deposition or if it was
3 just a meeting.

4 Q. That's fine. Okay.

5 No police issues in depositions before?

6 A. No.

7 Q. Okay.

8 Or at trial?

9 A. Not that I recall. I mean, yeah.

10 Q. And have you ever testified at a trial?

11 A. I don't think so.

12 Q. Okay.

13 And I'm sure your attorney has explained
14 this, but if you don't understand one of my
15 questions, please let me know and I'll try to
16 clarify. And when you answer, please say yes or no
17 as opposed to shaking your head or nodding your head
18 so that the court reporter can get your answer down
19 correctly.

20 A. Okay.

21 Q. And did you review any documents to
22 prepare for today's deposition other than
23 communications with your attorney?

24 A. I communicated with him, and I looked at
25 the interrogatory. I just reread that. Looked at

1 the emergency declaration.

2 Q. The original one and the ones following,
3 or any particular one?

4 A. The original one.

5 Q. I guess only one was actually the
6 emergency declaration. Right?

7 A. Yeah. Yeah.

8 Q. And other than attorneys, who have you
9 discussed this litigation with, if anybody?

10 A. You mean like discussed in terms of, like,
11 reviewed information, or just said, Hey, I'm going
12 to be deposed today?

13 Q. Substantively, yeah, as far as --

14 A. Yeah. Nobody.

15 Q. Okay.

16 Have you -- let's see. What's your
17 current job title?

18 A. City manager.

19 Q. And at one point you were interim city
20 manager?

21 A. Yeah. It's technically called pro tem.

22 Q. Pro tem?

23 A. Yeah.

24 Q. And how long was that?

25 A. From October -- I think it was the 19th --

1 through mid June.

2 Q. Okay.

3 October 19th of twenty --

4 A. 2019, yeah.

5 Q. -- nineteen to mid June of --

6 A. 2020.

7 Q. How long -- let's see.

8 What was your job title before you were
9 the pro tem in October of 2019?

10 A. Public works director.

11 Q. And how long were you there?

12 A. Two years.

13 Q. That was with the City of Eugene?

14 A. Yes.

15 Q. And how long overall have you worked with
16 the City?

17 A. Just over 25 years.

18 Q. All right.

19 When you first started with the City of
20 Eugene what was your job title?

21 A. Parks Specialist 2.

22 Q. And what other job titles have you had at
23 the City?

24 A. Parks Specialist 3. Program -- I was the
25 Erosion Prevention Program Specialist. Engineering

1 Permit Supervisor. Parks Maintenance Supervisor.
2 Park Operations Manager. Natural Resource
3 Operations Manager. Recreation Division Manager.
4 Assistant City Manager. Planning and Development
5 Executive Director. I think that's all.

6 Q. Okay.

7 When did you become the Assistant City
8 Manager?

9 A. I think John hired me in 2008.

10 Q. Okay.

11 And that was John who?

12 A. Ruiz, R-U-I-Z.

13 Q. Who hired you, or the how did the process
14 work for you to become pro tem city manager?

15 A. The city manager retired, and under the
16 city charter the Mayor has the responsibility to
17 appoint a pro tem city manager, and so I was
18 appointed by Lucy Benez.

19 Q. And then when you became the city manager
20 in mid June of last year, was that also an
21 appointment by Lucy Benez?

22 A. No. That was a vote by the Eugene city
23 council.

24 Q. Okay.

25 Do you hold any professional licenses?

1 A. No. I am a certified coach, but I don't
2 think that's what you're looking for.

3 Q. Okay.

4 Are you on any boards of directors?

5 A. Yes. I'm on the United Way board and
6 recently on the Onward Eugene board.

7 Q. What educational degrees do you have?

8 A. I have a bachelor's of science in
9 horticulture. I have a bachelor of arts in
10 landscape architecture. And I have a master's in
11 organizational leadership.

12 Q. When did you get the master's?

13 A. 2010.

14 Q. Okay.

15 Have you had any training in legal issues
16 specifically like, for example, Constitutional
17 issues, First Amendment, the rights of protesters,
18 any of those types of civil rights issues?

19 A. Not that I recall.

20 Q. Okay.

21 MS. DUGAN: Let's make this Exhibit 1.

22 (Deposition Exhibit Number 1
23 marked for identification.)

24 BY MS. DUGAN:

25 Q. So -- so looking at what's been marked as

1 Exhibit 1, is that your handwritten notes?

2 A. Yes.

3 Q. It's dated May 30th, 2020, State of
4 Emergency. Did you take these notes during an
5 in-person meeting or by -- during phone discussions?
6 Or how was -- how did you meet with these people
7 that are listed?

8 A. They were all by phone call.

9 Q. Okay.

10 And can you tell me what the purpose was
11 of this list of phone discussions with these folks?

12 A. What do you mean by "what's the purpose of
13 the list"?

14 Q. Why did you make this list?

15 A. Oh. Well, I was -- I knew, like, through
16 the state of emergency that the intent is to try to
17 talk to all of the city counselors that I can. And
18 I was sitting outside with my cell phone, and I just
19 thought I should try to write down everything I
20 heard so that when I could circle back with the
21 Mayor I could just kind of let her know what I had
22 heard.

23 Q. Okay.

24 Do you remember what time of day you were
25 doing these phone calls?

1 A. I can't remember what I exactly wrote in
2 the interrogatory, but it was pretty much after I
3 had toured downtown and I got back home, so I had
4 had a conversation with the Mayor somewhere in
5 that -- before noon, and then I made these phone
6 calls I think over the next couple of hours.

7 Q. Okay.

8 And that was on the 30th of May 2020?

9 A. Yes.

10 Q. Other than these handwritten notes, do you
11 have any other handwritten notes about the events of
12 May 29th through June 1st of 2020?

13 A. No, not that I recall.

14 Q. Okay.

15 A. I think you already -- I think I would
16 have already given those to you.

17 Q. Yeah. I mean, I have emails, I've got a
18 couple of texts. This was the only handwritten note
19 so my question was just about that.

20 A. Yeah.

21 Q. Okay. All right.

22 So looking at this note, Alan -- and I
23 take it that's Alan -- is it Zelenka?

24 A. Yes.

25 Q. It says (reading): Not the entire

1 city.

2 Okay. What did that mean?

3 A. He had an interest in it actually being --
4 if I remember correctly, I think he said he was
5 trying to -- asked me some questions about why I
6 wasn't doing the entire city.

7 Q. What did you respond to that question?

8 A. I think what I wrote was this exact thing,
9 that we were going to be very -- like, our plan was
10 to keep it very centered in where we thought we
11 might have an issue, and that if we needed to, we
12 could always expand that.

13 Q. Okay.

14 Do you remember if anybody else you called
15 had any concerns about it being not the entire city
16 one way or another, that they wanted it to be the
17 entire city or they wanted it not to be the entire
18 city?

19 A. Let me just read this really quickly.

20 Q. Sure. Yeah.

21 (Pause.)

22 A. Yeah. So I feel like the majority of
23 people, including Alan, were very supportive of it
24 being a limited scope as a start.

25 Q. Okay.

1 A. I think he asked me some questions about
2 it just -- and I was just writing like, you know --
3 I don't remember why exactly I wrote that note. But
4 the purpose -- both Emily and Betty were very much
5 like, okay, mixed feelings. Like, Emily said she
6 had mixed feelings. Betty had mixed feelings but
7 also said if it's necessary she supported it. So I
8 think both of them would have been more supportive
9 of it being the narrow area.

10 Q. Okay. Let's see.

11 Chris -- sorry. Who is Chris -- what's
12 the last name of Chris?

13 A. Pryor.

14 Q. Pryor? That's right.

15 It says (reading): Out-of-towners
16 hate society.

17 Do you remember what that was about?

18 A. I mean, my memory is that he was talking
19 about just, like -- there at the time there were
20 some people that thought there were rumors that
21 people were coming from Portland or they weren't
22 from here. I don't remember the hate society piece.
23 I don't even know if that's actually what that says.

24 Q. Yeah. Probably shouldn't have put words
25 into your mouth.

1 A. Yeah.

2 Q. Do you think -- do you think it could say
3 something else? I'm looking at your T's. I think
4 that's a T?

5 A. I'll just keep thinking about that because
6 it may just kind of pop out at me.

7 Q. Okay.

8 So other than Chris Pryor, who do you
9 remember ever telling you that there was a concern
10 that out-of-towners might be coming to the city
11 during this period of time?

12 A. Yeah, the only person who ever really
13 talked about it in any, like, for more than, like, a
14 minute was Greg Evans, and that wasn't on this day.
15 And I think it was in my interrogatory. It was
16 probably the next day that he had a concern he had
17 heard that maybe there were people coming from
18 Portland.

19 Q. Okay.

20 So Black Lives Matter protesters, or
21 counter protesters, or both?

22 A. He didn't say. He just said he had heard
23 that people might be coming from Portland and --
24 yeah.

25 Q. Did anybody ever tell you there was a

1 concern that people might be coming from Roseburg?

2 A. No.

3 Q. All right.

4 This is Exhibit 2.

5 (Deposition Exhibit Number 2

6 marked for identification.)

7 BY MS. DUGAN:

8 Q. I'll let you read that and then I have a
9 couple questions.

10 A. Did you highlight the, "I will expand the
11 curfew"?

12 Q. Yeah, that's me.

13 A. Okay.

14 Q. Sorry.

15 A. That's fine.

16 Q. I'm trying to get them to print without
17 highlighting but I think that didn't work very well.

18 A. Okay.

19 Q. Okay.

20 So -- first of all, so this is -- this is
21 a May 30th 4:39 p.m. email to the city councilors
22 and -- let's see -- you -- and then let's make the
23 declaration Exhibit 3. I had had it attached but I
24 decided to make it separate.

25 / / /

1 (Deposition Exhibit Number 3
2 marked for identification.)

3 A. Thank you. And these (indicating) are
4 your notes?

5 BY MS. DUGAN:

6 Q. Yeah. I'm sorry. Give me --

7 A. No. That's okay.

8 Q. Give me that one back.

9 A. Okay.

10 Q. I thought I had one more copy. I don't
11 want to use that one.

12 MS. REGAN: I think there's two here.

13 MS. DUGAN: Oh, really?

14 MR. MILLER: I can share this with
15 her.

16 BY MS. DUGAN:

17 Q. All right. So -- okay.

18 So you signed this emergency declaration
19 at 4:00 p.m. on the 30th, and you sent it to the
20 city councilors and you said (reading): I intend
21 to establish a temporary curfew tonight in
22 the downtown area.

23 In the second paragraph you talk about
24 (reading): If activity starts up in other
25 neighborhoods or parts of town, I will

1 expand the curfew to that area.

2 I don't see any discussion in that email
3 about potential to expand it city-wide. Do you
4 remember on the 30th was there any discussion --
5 other than what we just discussed with that phone
6 note list, was there any discussion about expanding
7 city-wide at any point?

8 A. Yeah, I mean, I think that when I talked
9 to people on the phone, I mean, I obviously had
10 pretty decent conversations with everybody. And I
11 would say to a person they were all concerned about
12 what had happened on Friday night, and they were all
13 concerned about the safety of Eugene, and they liked
14 the approach of starting small and being responsive
15 if we needed to be, so, I mean, the conversation
16 with Alan and others -- and I feel like now -- I'm
17 sorry that I didn't mention this earlier -- but Greg
18 Evans, who lives out in the Bethel area, also
19 expressed a concern like, What about us if things
20 happen?

21 So it's -- you know, my response to them
22 is, "We'll be reasonable and we'll just take it a
23 step at a time." So that's why this would be very
24 consistent to the conversations that I had with
25 them, if we're doing it here, and then if we need

1 to, we can start it up in other parts of town.

2 Q. Okay.

3 But explicitly, there was never any
4 explicit statement by you, at least in the email,
5 that it could expand city-wide, correct, in this
6 email.

7 A. No, definitely not in the email.

8 Q. Okay.

9 And the exemptions listed in the first
10 paragraph don't include media. Do you remember why
11 they weren't included?

12 A. So when we originally sent this out, we
13 hadn't included media. And we were then contacted
14 -- it wasn't -- it wasn't intentional, it was just
15 how it was, and we got contacted by -- I believe it
16 was Henry Houston of the Eugene Weekly asking about
17 it. And I got a call from our community relations
18 director saying, "Hey, we're going to get questioned
19 about media."

20 And I said, "Oh, no, I'm okay with media
21 being in there," so we changed it at some point to
22 allow media to be in there.

23 Q. Okay.

24 Do you remember where you did come up with
25 this list of exceptions, emergency care, fleeing

1 danger, sheltering in place, traveling to and from
2 employment, or making commercial deliveries?

3 A. I feel like that might have been a
4 recommendation from -- or an initial set of lists
5 from the city attorney. I'm not sure how it came
6 up. We were trying to figure out, like, who -- who
7 is going to be in there and who do we not want to
8 unnecessarily displace.

9 Q. Did you ever consider exempting people
10 traveling to and from their homes?

11 A. I don't remember having that conversation.

12 Q. Did you discuss with anybody what would be
13 done to or about people who were traveling to their
14 homes from downtown, say?

15 A. It's -- I mean, I'd be surprised if we
16 didn't have a conversation about that. I just don't
17 recall it specifically. You know, I just don't
18 recall that specifically.

19 Q. Okay.

20 Did you -- on the 30th, do you remember if
21 you spoke with Chief Skinner about how this would be
22 implemented?

23 A. Yes, in terms of, you know, recognizing
24 that, what you just said, people are going to be
25 coming and going. And so my understanding was there

1 would be -- we would be sending out a news release,
2 and there would be announcements, and people would
3 know and, you know, be given their warning like it's
4 been -- There's a curfew in place. You need to
5 leave -- that people would have an opportunity to do
6 that.

7 Q. Okay.

8 And did you on this day or the next day at
9 any time during this period talk to the chief about
10 what would be done regarding groups of people that
11 appeared to be walking in a group but might say they
12 are going home, whether they would be allowed to
13 keep walking down the sidewalk?

14 MR. MILLER: Object to the form of the
15 question.

16 Go ahead.

17 A. I didn't have any specific -- like, I
18 didn't talk to the chief specifically about how they
19 would handle any given circumstance. It's his
20 responsibility to -- to enforce the curfew and the
21 order.

22 What I very clearly remember is having a
23 conversation about people are going to like -- how
24 will they know, and so I knew that there would be
25 warnings and that there would be announcements and

1 people would know.

2 BY MS. DUGAN:

3 Q. Did you talk about how much advanced
4 notice people would have before the curfew went into
5 effect?

6 A. On each one of the curfews we talked about
7 how much advanced notice there was. Like,
8 recognizing, like, when does it need to happen. So
9 we tried to do -- the ones that started, like, that
10 we sent out earlier in the day like this one,
11 gave -- giving people a lot of advanced notice this
12 is what it's going to be. When this situation
13 shifted in the night and things were happening, we
14 tried to give as much as we could, but the decision
15 was always based on public safety considerations.

16 Q. Okay.

17 Looking at Exhibit 3, the actual
18 administrative order, do you recall who you
19 consulted with to come up with the findings?

20 A. The findings that are, like --

21 Q. A.

22 A. Okay. The B and C piece?

23 Q. Yeah, mainly -- mainly let's talk about A
24 for now.

25 A. Oh, the code?

1 Q. Yeah.

2 Was that just in consultation with
3 attorneys?

4 A. Yes.

5 Q. Okay.

6 On D, on the second page, where you say
7 (reading): The emergency described in
8 paragraphs B and C requires a coordinated
9 response beyond that which occurs routinely
10 and the required response is not achievable
11 solely with the added resources acquired
12 through mutual aid or cooperative assistance
13 agreements.

14 How did you make that decision? How did
15 you make that finding? What steps did you go
16 through?

17 A. Well, we talked about the Friday night
18 activities, how fast they escalated and the fact
19 that we had to call in extra resources and we were
20 beyond our capacity. The coming nights there were
21 protests happening in Salem and Portland. We had
22 been -- I believe we had been contacted for even
23 giving mutual aid out of our own city. There
24 weren't people to come.

25 So between what police was doing, what

1 public works was doing, and the feeling that we were
2 going to quickly be not able to respond and protect
3 the community is -- is what was discussed as part of
4 that.

5 Q. So other than attorneys, who did you
6 discuss that with?

7 A. Number D?

8 Q. Yeah.

9 A. The chief. I mean, I discussed it with
10 the Mayor and council but not to give their
11 technical opinions. I mean, it was mostly the chief
12 and the city attorney.

13 Q. And then when you spoke with the chief,
14 was that by phone, or in person, or email?

15 A. Mostly -- the first conversation was in
16 person, and then by phone, a conference call.

17 Q. All right. Let's make this 4.

18 (Deposition Exhibit Number 4
19 marked for identification.)

20 BY MS. DUGAN:

21 Q. I'll let you read that.

22 A. Yeah. Yeah.

23 Q. Okay.

24 And just for efficiency, I've printed your
25 email along with --

1 A. That's fine.

2 Q. -- this response by Greg Evans?

3 A. Yeah.

4 Q. So your email, May 31st, 6:14 p.m., you
5 wrote that you had yourself attended the Black Lives
6 Matter protest and march in downtown Eugene.

7 And then you note that (reading):

8 We still have a very large group in downtown
9 with threats to property and dangerous
10 activities.

11 What were those threats to property and
12 dangerous activities?

13 A. I'd have to go back and look specifically
14 at what I wrote in the interrogatory, but I can say
15 as I recall that was the day that there were -- they
16 were blocking traffic at Washington/Jefferson.
17 There was -- somebody had fired a shot in the crowd.
18 Somebody else had gotten out of a car with a -- with
19 an AR -- I think that's what it was -- and there was
20 just -- I feel like there was -- there was graffiti
21 happening. Like, it was -- it felt like it was
22 ramping up, and that was what I had understood.

23 I wasn't there at that intersection. I
24 believe I got a call from one of our councilors who
25 was there, Emily Semple, who was very, very

1 concerned about what she was seeing.

2 Q. Okay.

3 Those two incidents you mentioned, those
4 were counter protesters. Correct?

5 A. I don't know.

6 Q. You were -- what were you told about
7 that -- about those incidents?

8 A. I was just told that there was -- I just
9 -- really honestly, I don't know that anybody said
10 it was a counter protestor. Maybe they did. It was
11 a shot -- I don't know who shot the -- sorry. If
12 you have my interrogatory, it would be great. I
13 could just look at that really quick.

14 Q. Okay. We can get to that.

15 Looking at Mr. Evans' response, he says
16 (reading): I totally agree, Sarah. We saw
17 white supremacists mixed in the crowd at
18 Alton Baker Park as of the 4:30 p.m. I think
19 they want a confrontation with law
20 enforcement.

21 So does that refresh your memory about
22 whether there was any discussion of counter
23 protesters versus protesters being involved?

24 A. So, I mean, I'm not saying that -- I'm
25 seeing this email that you put in front of me that

1 Greg said that. I don't recall. And as I said
2 before I, wasn't taking any sort of technical advice
3 from city councilors so I didn't pass this email
4 onto the police chief. This was just an interaction
5 with him and I.

6 So when I was in the moment and learning
7 from the chief what was happening, he never said
8 "There's a counter protester firing a shot." It was
9 just, "there was a shot fired and somebody had an
10 AR."

11 I recall they were in a Jeep, so you can
12 make assumptions about who drives a Jeep and who's
13 in the -- who has an AR, but that specific
14 conversation I don't recall happening.

15 Q. Okay.

16 And I think you had already said that you
17 didn't discuss with the chief how he was going to go
18 about enforcing the curfew at all?

19 A. Correct.

20 Q. And why not?

21 A. Because I don't have any sort of public
22 safety certifications. I'm a landscape architect.
23 And I trust him and his team to -- to do enforcement
24 and to know how to plan for that and to . .

25 Q. Well, you came up with the list of

1 exceptions. Did you consult him to make that list,
2 or was that your idea?

3 MR. MILLER: Objection. Asked and
4 answered.

5 Go ahead.

6 BY MS. DUGAN:

7 Q. Well, you can clarify if you could.

8 A. Okay. Yeah. What I said before was what
9 I recall is that this list was a recommended list
10 from the city attorney.

11 Q. Okay.

12 And you didn't question that or research
13 that yourself or come up with any other exceptions
14 other than the media which you added later?

15 A. I don't recall -- I didn't do the
16 research. I just saw the list. It felt, like,
17 reasonable. I knew people were trying to meet the
18 intent of keeping it safe but limiting, like -- also
19 trying to balance people's rights to gather, so it
20 was trying to be very reasonable.

21 And as I said, like, as soon as somebody
22 said, "What about the media?," I was like, "Of
23 course. That's -- happy to have them there."

24 Q. Okay.

25 So going back for a second to Exhibit 3,

1 the May 30th executive order, you -- in part D you
2 had made a finding that the required response was
3 basically beyond the capacity. What was your
4 understanding regarding the number of police that
5 were actually available, how many patrol and
6 supervisors were available?

7 Was there any sort of limit on that that
8 you were aware of as far as everybody who's employed
9 by the EPD being available?

10 A. I didn't have a specific conversation
11 about number of staff available. I had a
12 conversation with the chief about whether or not we
13 were going to be able to respond if things continued
14 the way they did Friday night, and the answer was
15 "no."

16 Q. Okay.

17 So it sounds like you basically deferred
18 to the chief on those concerns?

19 A. Correct.

20 Q. Did the chief tell you how many officers
21 had been called out on Friday night, the 29th?

22 A. I don't recall him telling me a number.

23 Q. Okay. Okay. Sorry.

24 Going back to Exhibit 4, the next to last
25 paragraph of your email you say (reading):

1 Similar to last night, I'm prepared to expand
2 the geographic area as needed and will email
3 you later this evening, if necessary.

4 Again, you're not mentioning any -- any
5 chance that it's going to go city-wide. Is that
6 something you did discuss on the 31st with anybody
7 before declaring a city-wide curfew later that
8 night?

9 A. I don't remember specifically without
10 looking at my list, but throughout this weekend I
11 was talking to all of the councilors with some
12 frequency, either through a text message or a phone
13 call, and these emails, so I don't think there was
14 any question from any of them that after Saturday
15 night we would do it -- potentially another
16 city-wide curfew both Sunday -- yeah, and then on
17 Monday too. And I talked specifically to the Mayor.

18 Q. So when you talked to the Mayor, did you
19 mention that it might go city-wide?

20 A. Yes.

21 Q. Yes? But you didn't put that in your
22 email?

23 MR. MILLER: Objection.

24 A. No, because --

25 MR. MILLER: Asked and answered.

1 But go ahead.

2 A. No, because as I've said already, we were
3 trying to limit it as much as possible.

4 Q. Okay.

5 MS. DUGAN: Let's make this Exhibit 5.
6 (Deposition Exhibit Number 5
7 marked for identification.)

8 BY MS. DUGAN:

9 Q. I'm sorry these don't print with a Bates
10 number, but it should be 3467 and -68. I'm not sure
11 why it didn't print.

12 Okay.

13 So this is the May 31st executive order
14 signed at 6:00 p.m.?

15 A. Uh-huh.

16 Q. When -- was it -- did you make the
17 decision right at 6:00 p.m.? I know that sounds,
18 you know, picky, but I'm just wondering if it was
19 like an hour before, or a minute before, or around
20 the same time you signed it?

21 A. There were discussions before, but the
22 decision is when I sign it. I mean, I guess that's
23 when the final decision is actually made.

24 Q. Yeah.

25 MS. DUGAN: Exhibit 6.

1 (Deposition Exhibit Number 6
2 marked for identification.)

3 A. Yep.

4 BY MS. DUGAN:

5 Q. Okay. All right.

6 So this is an email from you to the city
7 councilors on May 31st at 10:54 saying
8 (reading): As I previously communicated as
9 a possibility, I am extending tonight's
10 curfew city-wide effective 11:00 p.m.
11 Individuals are congregating outside the
12 boundaries to include closing the Ferry
13 Street Bridge, which is a critical route
14 for first responders. Our community safety
15 is my first priority. The curfew will be in
16 place until 6:00 a.m.

17 All right. So this is sent five or six
18 minutes before 11:00 p.m. When did you actually
19 make that decision?

20 A. Very -- like, minutes before this based on
21 a phone call I had with the chief.

22 Q. Okay.

23 Tell me everything you remember about that
24 phone call.

25 A. He called me and briefed me on what was

1 happening. He had a lot of concerns and said he
2 felt like we needed to do the city-wide curfew based
3 on how they were congregating outside the
4 boundaries.

5 And I said, "When do you think you it
6 needs to go into effect?" And I said, "Midnight?"

7 And he said, "No, it needs to be sooner
8 than that."

9 I was like, "11:00?"

10 And he was like, "Yeah."

11 And I said, "Okay, it's 11:00."

12 So that's how that conversation went.

13 Q. Okay.

14 And what was your discussion with him
15 about how people would be notified?

16 A. I didn't have a conversation with him
17 specifically about that.

18 Q. Were you --

19 A. I mean, we talked about that on Friday
20 night -- or Saturday night -- I'm sorry -- and I
21 assume that carries through the whole weekend.

22 Q. Okay.

23 And what was your understanding of how it
24 would be communicated from that prior conversation?

25 A. Similar to how it was before, that, you

1 know, we would send out a news release, which we
2 did, and then people on the streets would notify,
3 like, "Curfew is in place. You need to disperse,"
4 or whatever the exact language was. I can't
5 remember.

6 Q. And that they would be allowed to travel
7 home?

8 A. That would be my understanding.

9 Q. Where you say in your email
10 "individuals are congregating outside
11 the boundaries to include closing the
12 Ferry Street Bridge," what does that mean?

13 A. They were approaching or on the Ferry
14 Street Bridge, and -- to a point that I feel like
15 they had to -- police had to close it off. Maybe
16 they had, like, they were all congregated on the
17 bridge.

18 And there were people on other locations.
19 I think Sunday night was the night they were also
20 over in the Valley River area, and there were just
21 different areas so it was hard to decide, Do you
22 keep doing it, like, here, or here, or do you just
23 go city-wide, and that's why we made that choice.

24 Q. Okay.

25 So did the chief tell you that the

1 protesters had closed the Ferry Street Bridge?

2 A. I don't recall the specifics of that
3 conversation. I feel like there were -- I remember
4 there was something happening on the Ferry Street
5 Bridge that was of concern and that it was at least
6 temporarily closed because people couldn't get
7 through. We may have closed it because of that.

8 Q. So if I understand you correctly, rather
9 than deciding to close the areas where there were
10 actually people congregating, that seemed to be too
11 complicated so you just said city-wide?

12 MR. MILLER: Objection.

13 Argumentative.

14 Go ahead.

15 MS. DUGAN: I'm just asking for
16 clarification.

17 MR. MILLER: I'm just making an
18 objection.

19 A. Yeah. There were -- you know, it was -- it
20 was really clear that people knew where the
21 boundaries were and they were moving to the outsides
22 of them. This is how it was being communicated to
23 me.

24 It's also some of what I heard. If you
25 tuned into one of those Facebook live streams, it

1 was very like, this is the boundary. Go here.

2 So at some point it was just the resources
3 it would take to continue to respond to multiple
4 boundaries and the numbers of notifications, it felt
5 like the reasonable, responsible thing was just to
6 make it city-wide.

7 BY MS. DUGAN:

8 Q. And did the chief tell you that there was
9 any violence that was happening?

10 A. On each of these nights there were
11 different things happening. Whether it was graffiti
12 or people banging on things, it was, you know --
13 there was -- I mean, yes, but I don't remember
14 specifically a conversation about any particular one
15 incident, especially on this night. That was just
16 sort of a general theme.

17 Q. Do you remember any discussion of
18 potentially doing the curfew at 11:30?

19 A. No.

20 Q. Do you remember any discussion of making
21 the curfew city-wide earlier than 11:00? Or was
22 this the only discussion you had about making it
23 city-wide that night?

24 A. This was -- he called me and told me what
25 was going on, and I pushed back, as I told you, and

1 I don't -- I thought I had pushed back to midnight,
2 like, "Can we give people more time?"

3 And he was, like, "No, this is a situation
4 that needs to be stopped."

5 And I trusted him and made it 11:00. I
6 don't recall if it was 11:30. I don't remember
7 having any conversations about it being earlier in
8 the night.

9 Q. Okay.

10 Do you remember him -- did he tell you --
11 did he tell there would be tear gas used?

12 A. No.

13 Q. Did he tell you there would be foam batons
14 used?

15 A. No.

16 (Deposition Exhibit Number 7
17 marked for identification.)

18 BY MS. DUGAN:

19 Q. So this is an email from you at 10:59:26
20 on May 31st.

21 A. This is not an email from me. This is an
22 email from --

23 Q. I apologize. Sorry.

24 This is an email from your communications
25 person?

1 A. Yeah.

2 Q. All right.

3 You had sent -- okay. So -- and she's
4 sending this to Eugene media contacts. Update:
5 (reading): The curfew has been extended
6 city-wide starting at 11:00 p.m. tomorrow
7 through 6:00 a.m. tomorrow.

8 Did you authorize the sending of this
9 notice to the media? I don't mean the exact
10 wording, but did you say, Please tell the media?

11 A. That was our standard operating procedure
12 through the entire weekend. Anytime we did a curfew
13 we sent out a news release. So I didn't
14 specifically authorize this but it would have been
15 expected.

16 Q. Okay.

17 So with less than one-minute warning this
18 is going to the media. Correct?

19 MR. MILLER: Object to the form of the
20 question.

21 Go ahead.

22 BY MS. DUGAN:

23 Q. Well, am I misreading that?

24 A. Yeah. I mean, it's time stamped so I
25 think that's -- the answer is right there when it

1 got sent.

2 Q. All right.

3 (Deposition Exhibit Number 8
4 marked for identification.)

5 THE WITNESS: Thank you.

6 BY MS. DUGAN:

7 Q. This is from the chief and then a
8 response. So I'll let you take a look at it because
9 I know it's not something you wrote so you might
10 want to familiarize yourself with it.

11 A. Okay.

12 Q. All right.

13 So does the information that he's
14 conveying -- that Chief Skinner is conveying in this
15 email -- is it similar to what he was telling you
16 the night before when you decide to make this curfew
17 city-wide?

18 A. Yeah. There's more detail in this email
19 than he and I spoke about on the phone.

20 Q. Okay.

21 Well, on the second page in kind of the
22 middle where he says (reading): A group of
23 protesters, between 50 and 60, at 8th and
24 Mill continued to block traffic, and there
25 were concerns about Ferry Street Bridge

1 becoming involved. Police shut down the
2 bridge.

3 Does that --

4 A. Yeah.

5 Q. -- sound like what he might have told you
6 the night before?

7 A. Yeah. What I recall as I'm reading this
8 is that that group of 50 to 60 people were -- were
9 moving up the bridge, and I think the concerns were
10 they were going to get on the bridge and block
11 traffic and, like, not leave, and so they were
12 prevented from doing that.

13 Q. So we have the email to the media from the
14 night before at 11:59:26, and then, I, of course,
15 know about the --

16 A. 10:59.

17 Q. Sorry. 10:59.

18 I, of course, know about the Amber alert,
19 or whatever you would call them, on the text
20 messages because I got them myself, and I do have
21 printouts of some of those. But other than those
22 blasts from the Amber alert text messaging, were
23 there other ways in which the public was given
24 notice of the curfew?

25 A. So the Amber alerts were on Monday, not

1 Sunday. Are you still talking about Sunday or are
2 we talking about Monday?

3 Q. I think they were both nights?

4 A. No. They were just Monday night.

5 Q. Okay. Okay.

6 So on Sunday night, how did people get
7 notice of -- other than police telling them on the
8 streets, was there any way the general public was
9 told?

10 A. Probably the news releases and whatever
11 got shared on social media by -- I feel like the
12 police department was updating social media and
13 announcements by EPD that are in the area that are
14 letting people know there's a curfew. But the
15 general public? I'm not sure --

16 Q. Okay.

17 A. -- if they are sleeping how they would
18 have known.

19 Q. Okay.

20 (Deposition Exhibit Number 9
21 marked for identification.)

22 BY MS. DUGAN:

23 Q. So here is your interrogatory responses.

24 A. Thank you. That's helpful.

25 Q. Yeah. I had a couple questions about

1 this. Let me find my specific questions.

2 On page 6 of the interrogatories
3 discussing May 31st, you say that you took part in
4 the organized Black Lives Matter protest?

5 A. Yes.

6 Q. That was a planned event, correct, planned
7 in advance?

8 A. Yes.

9 Q. Okay.

10 Do you remember what time of day that
11 started or what time you were there?

12 A. I feel like it was afternoon-ish, like
13 3:00 o'clock, 4:00 o'clock, somewhere in there. I
14 don't remember exactly. It's in this email. I
15 think there's one of the emails that say exactly
16 what time.

17 Q. Okay.

18 And so --

19 A. I think it was 1:00 o'clock. It could
20 have been earlier.

21 Q. Okay.

22 So the whole time you were downtown and
23 attending the event did you see any unlawful
24 activity yourself?

25 A. I went down and parked at the library,

1 walked over to the federal courthouse, and I was
2 there for the main part of the thing. I didn't go
3 to Alton Baker Park, I didn't follow the march, and
4 I didn't stay downtown.

5 So in that time there was maybe some,
6 like, cars racing around and things like that, but I
7 don't recall seeing anything super specific.

8 Q. All right.

9 So you say (reading): As the
10 afternoon and early evening progressed, EPD
11 was concerned about their ability to maintain
12 the safety and lawfulness of the gathering.
13 At around 5:00 p.m., Chief Skinner
14 recommended a curfew in the downtown area.

15 At 5:00 p.m. what was your understanding
16 of the problem with maintaining safety and
17 lawfulness --

18 A. Uh-huh. My understanding is that when the
19 events at Alton Baker ended, maybe even before that,
20 a large number of the crowd came back over and was
21 in downtown and they were filling the streets.
22 That's when we had the incident with the person and
23 the AR.

24 So there was a large gathering in
25 downtown. Some of them were splitting off, and it

1 was feeling like it was escalating, is what I
2 understood from the chief. And we had -- I think I
3 had mentioned earlier I believe that is the same --
4 I had received at least a phone call from Emily
5 Semple that she was down there and she had seen and
6 heard the gun and was really concerned, so it
7 resonated with what he had said as well.

8 Q. So Emily Semple was concerned about the
9 gun. Did she ever say she was concerned about the
10 protesters?

11 A. She -- I mean, she had multiple concerns
12 about all of it. She had concerns about what was
13 happening. She had concern about the property
14 damage. She had concern about our response. She
15 had -- you know, she was very -- just a concern, I
16 think, for downtown and for everybody to be okay and
17 safe and have their rights, too. So she's -- she's
18 a mix of all of those things.

19 Q. Now -- so in your interrogatory response
20 on page 6 to page 7 where you're talking about May
21 31st, correct me if I'm wrong, but you don't mention
22 the gun situation?

23 A. Yeah, I didn't mention it in here. That's
24 a miss.

25 Q. The example you gave was the hammering on

1 light poles. Tell me what you had heard from Chief
2 Skinner about that.

3 A. I just remember, you know, basically some
4 of what he had said in here was just that there were
5 people starting to -- that had hammers and were
6 starting to bang on light poles, and I think they
7 were banging on cars. It was escalating in the
8 downtown area.

9 Q. Okay.

10 So he conveyed to you there were multiple
11 hammers being used?

12 A. I don't recall him saying there were
13 multiple hammers. I just remember him describing
14 kind of the general atmosphere.

15 Q. So would you agree on Exhibit 8 on the
16 second page, that prior exhibit, at the very top he
17 says (reading): Some of them began hitting
18 light poles with a hammer --

19 Do you see that?

20 A. Yes, I see that.

21 Q. -- (reading): to make noise.

22 Does that sound like what he told you? Or
23 do you remember him saying "hammers"? And I'm sorry
24 to be picky about that, but it sounds like -- to be
25 honest, it sounds like he's either inflating beyond

1 what he said in that email or you're misremembering,
2 and I'm trying to figure out which.

3 MR. MILLER: Object to the form of the
4 question.

5 Go ahead and answer if you know what
6 the question is.

7 A. You know, we're over a year from this
8 incident. So I remember him talking about the
9 general atmosphere in downtown, people moving
10 around, the numbers of people in the street, and
11 there was -- I don't remember all the specific
12 details of that conversation so I don't recall him
13 saying hammers or hammer. I just recall that stood
14 out.

15 Q. Do you remember the chief stating that
16 there were a small amount of aggressors involved in
17 making trouble?

18 A. I don't recall him having that detail.

19 Q. Okay.

20 Let's see. At some point -- oh, on page 7
21 at the top you say you notified city council and
22 contacts at the University of Oregon.

23 Do you remember why you notified the
24 U of O?

25 A. Yeah. I was trying to just give them a

1 heads up that the protesters might be moving in
2 their direction and I didn't want them to be --
3 because I knew that, I feel like I should let them
4 know and just be a good partner.

5 Q. Did you notify them by email or phone?

6 A. The first night, actually, I emailed them.
7 I probably texted Michael Schill on that night or
8 Matt Roberts. I may have called them.

9 Q. All right.

10 And that was because -- is that because
11 the chief had told you that there was a group of
12 people headed to the University?

13 A. Yeah. And I feel like that night might
14 have been the night Tre Stewart was also, like,
15 streaming through Twitch, or whatever, and talking
16 about exactly where they were going.

17 Q. Okay.

18 A. I didn't watch all of his live streams but
19 every now and then I would turn it on and so I could
20 see and hear what they were doing too.

21 Q. When you watched that, did you see any
22 violence happening?

23 A. I saw a lot of chaos happening, you know.
24 And, again, I watched probably 10 minutes of stream
25 periodically. You know, I was not, like, glued in

1 on any of that.

2 Q. So you didn't see any violent acts?

3 A. What would you consider a violent act?

4 Q. What would you consider a violent act?

5 A. A fist fight, you know, throwing a rock
6 through a window, burning something.

7 Q. Did you see anything like that?

8 A. I didn't see that. I don't specifically
9 recall that.

10 Q. Did the chief mention anything like that
11 happening?

12 A. I don't specifically recall that. I'm not
13 trying to be difficult. I just think, you know,
14 there was a lot going on. It's hard to remember it
15 all.

16 Q. Yeah. Yeah.

17 Were you ever made aware before midnight
18 or before 11:00 p.m. on the 31st that SWAT was going
19 to be used that night?

20 A. I didn't -- I was not aware that SWAT was
21 going to be used. I was informed after the fact
22 that they were.

23 Q. Were you informed that night?

24 A. No. I believe I read it in an email the
25 next morning.

1 Q. Okay.

2 So were you debriefed by the chief --
3 other than the emails that you've sent through your
4 attorney, did he call you and debrief you on what
5 had happened that night on May 31st?

6 A. So did he call me on -- he wouldn't have
7 called me that night after -- after the curfew. I
8 don't recall him calling me that night. I'm sure we
9 talked the next day.

10 Q. The next day?

11 A. Yeah.

12 Q. Is that when he told you that SWAT had
13 been used?

14 A. No. I think I read that in an email.

15 Q. Okay. You said that. I'm sorry.

16 Were you surprised to see that SWAT had
17 been used?

18 A. Surprised isn't the right word. I mean, I
19 think, you know, I don't -- again, I'm not a public
20 safety professional so I'm learning -- I guess it
21 was a learning for me, like, to understand that that
22 was a tool that they felt they needed to use that
23 night.

24 Q. So after more details came out about what
25 had happened on the evening of May 31st, did you

1 have any concerns about the force used by the
2 police, as a city manager?

3 A. After the five -- so on Monday?

4 Q. Whenever you learned about --

5 A. Yeah, I mean --

6 Q. Other than Henry Houston, which I know you
7 had gotten emails from him --

8 A. Uh-huh. Yeah, I called the next morning
9 about that.

10 So do I have concerns about the use of
11 force? I mean, I guess you always have hopes that
12 things will be peaceful and that you never have to
13 use force, so the whole event from both directions
14 of us using force and the situation requiring it to
15 were -- were days that I felt sad about.

16 Q. Okay.

17 Did you ever talk to federal protective
18 services about the events of May 31st -- did you
19 talk to them that day about the protests that were
20 happening?

21 A. Federal -- who is that?

22 Q. I don't know. I mean I know, but they are
23 mentioned in some documents as being -- cooperating
24 with the EPD. But you didn't yourself have any --

25 A. No.

1 Q. -- communications? All right.

2 Beyond the curfew, did you -- did you or
3 your office do any other advanced planning for --
4 regarding the protests of May 31st?

5 A. No.

6 MS. DUGAN: I'm going to talk to
7 Ms. Regan and see if we have any other questions,
8 and I'll come right back.

9 THE VIDEOGRAPHER: We're off the
10 record at 11:06 a.m.

11 (Recess: 11:06 to 11:13 a.m.)

12 THE VIDEOGRAPHER: We are back on
13 record at 11:13 a.m.

14 BY MS. DUGAN:

15 Q. All right.

16 So let's see, in his email on June 1st,
17 the chief -- let's see. This is Exhibit --

18 A. 8.

19 Q. 8? 8.

20 So on page 2, in that kind of middle
21 paragraph, he says (reading): The mob moved to
22 the sidewalks.

23 When you were watching the live stream,
24 were you -- did it look like a mob to you? Is that
25 a word you would have used?

1 A. Which paragraph is that?

2 Q. It's the first full paragraph on the
3 second page. It's the last sentence.

4 A. I'm sorry. I'm not seeing that. The
5 second --

6 Q. The page that I've --

7 A. Oh, so I wasn't watching this particular
8 piece. I mostly saw Tre Stewart when he was -- the
9 one I was referring to earlier he was -- they were
10 walking words the U of O. They may have even been
11 on the U of O campus. And I also saw a little bit
12 of what he did from the parking garage. He had,
13 like, climbed up in the parkade and was looking back
14 down on -- I think that's Broadway right there.

15 So I didn't -- I did not see this so I
16 don't -- I don't know what it was.

17 Q. Okay.

18 Did the chief, on May 31st, describe to
19 you that there was a mob?

20 A. I don't recall him using that word.

21 Q. Did the chief express any sort of animus
22 towards the people who were walking on the sidewalks
23 toward the University?

24 A. No.

25 Q. I'm trying to get a better sense of what

1 steps you took before declaring the city-wide curfew
2 with moments of decision-making involved.

3 Did you defer completely to the chief's
4 recommendations, or did you say, "I want to check
5 some facts. I want to talk to some other folks"?

6 A. No. I deferred to the chief. And it was
7 based on the level of concern in his voice. And I
8 asked him, "You need to give me your professional
9 opinion on what's going to keep the community safe."

10 And he said, "It needs to happen at
11 11:00."

12 And I believed him, and I made it happen
13 at 11:00.

14 Q. And on June 1st do you recall why you did
15 not expand the curfew city-wide at any point?

16 A. There was never a need to.

17 Q. The chief never asked you to?

18 A. No.

19 Q. And the chief didn't ask you for a curfew
20 on June 2nd?

21 A. No.

22 Q. So every time the chief asked you for a
23 curfew you gave him the curfew he had requested
24 including the location and the exact times he had
25 asked for.

1 Is that correct?

2 A. I relied on his public safety expertise,
3 yes.

4 Q. And in retrospect, do you have any
5 concerns at this point about those decisions that
6 you made?

7 A. I made the best decision I could with the
8 information I had at the time. So it's easy to go
9 back and say, Oh, could we have done this? Could we
10 have done this? But I feel really good about how we
11 handled it.

12 Q. So if in a couple of weeks there was
13 another protest situation and the chief asked you
14 for a curfew, would you want to have any other
15 process in place to do it any differently than you
16 did it last time?

17 MR. MILLER: I'm going to object to
18 the extent it calls for speculation.

19 Go ahead.

20 A. Well, we had multiple, multiple, multiple
21 nights of protests after this where we didn't call
22 for a curfew, so we've said publicly that we learned
23 through this process and that as things
24 de-escalated, we changed our tools and we were
25 reasonable and responsible about that.

1 I would be -- if the police -- if the
2 chief was calling and asking for a curfew, even
3 speculatively, I'd have to imagine there was
4 something significant happening of a public safety
5 concern. I'd have to evaluate that when I got
6 there.

7 BY MS. DUGAN:

8 Q. Okay.

9 So the process hasn't changed at all. Is
10 that correct? The process of obtaining a curfew, or
11 issuing a curfew, issuing an emergency order --

12 A. I would have to do an emergency
13 declaration. So not knowing what you're
14 speculating, I don't know if I would or I wouldn't,
15 so it's . . .

16 Q. Aside from speculation, has anything
17 changed in the city manager's office about that
18 process of issuing an executive order, executive
19 directive, and a curfew?

20 A. The emergency management plan is the same,
21 our code is the same, and I would use the same brain
22 that I had before.

23 Q. Okay.

24 A. Yeah. There's not a standard operating
25 procedure.

1 Q. Okay.

2 So the impact -- I forget what they call
3 it -- the community impact cases that led to -- and
4 are still kind of underway leading to some
5 recommendations for change -- have you been
6 considering those as far as potentially making
7 changes in the process of issuing executive orders,
8 emergency orders, and curfews?

9 A. We haven't had that discussion yet. I'm
10 open to that.

11 Q. Nobody has brought that up with you?

12 A. No.

13 Q. Do you -- have you gathered any statistics
14 about the cost of the law enforcement response on
15 May 31st?

16 A. No.

17 Q. Have you gathered any statistics about how
18 effective the curfew was on May 31st?

19 A. I'm not sure what statistics you would
20 look at for that. Can you give me an example of
21 something?

22 Q. Number of property damage complaints
23 before and after? Number of arrests?

24 A. No, I haven't gathered those.

25 Q. Whether the arrests were actually

1 prosecuted? Whether any officer was found to be
2 violating policy during the curfew as far as how
3 they enforced it?

4 A. I personally have not gathered those
5 statistics.

6 Q. Have you been reading any of the
7 information that's coming out of the civilian review
8 board meetings?

9 A. I have not.

10 Q. When you were studying for your master's
11 degree, did you have any education on how to do city
12 management in coordination with law enforcement?

13 A. No.

14 Q. Did you have any training on anything
15 regarding protester rights or First Amendment rights
16 in the context of city management?

17 A. No.

18 MS. DUGAN: No further questions.

19 THE WITNESS: Thanks.

20 THE VIDEOGRAPHER: All right. We are
21 going off the record at 11:21 a.m.

22 (The deposition was concluded
23 at 11:21 a.m.)

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1 State of Oregon)
2 County of Lane) ss.

3
4 I, Sara Fahey Wilson, CSR, a Certified Shorthand
5 Reporter for the State of Oregon, certify that the
6 witness was sworn and the transcript is a true
7 record of the testimony given by the witness; that
8 at said time and place I reported all testimony and
9 other oral proceedings had in the foregoing matter;
10 that the foregoing transcript consisting of 58 pages
11 contains a full, true and correct transcript of said
12 proceedings reported by me to the best of my ability
13 on said date.

14 If any of the parties or the witness requested
15 review of the transcript at the time of the
16 proceedings, such correction pages are attached.

17 IN WITNESS WHEREOF, I have set my hand this 13th
18 day of July 2021, in the City of Eugene, County of
19 Lane, State of Oregon.

20
21

22 

23 Sara Fahey Wilson, CSR

24 CSR No. 06-0400

25 Expiration Date: March 31st, 2023